

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF MAY 6, 2013**

Clark called the meeting to order at 7:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Naeyaert led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Bruno, Clark, Droscha, Ferris, Naeyaert
Absent: Councilmember: Mulvany
Also present: Martin A. Colburn City Administrator
Deborah J. Cwierniewicz, City Clerk
Eric Smith, Finance Director/Treasurer
David Haywood, Zoning & Development Director
Donald Heck, City Engineer

ANNOUNCEMENTS

- School Band Fundraiser Dinner held at A&W tonight
- Thank you from City Council to Tree Commission Chair Brenda Hershberger for the Arbor Day Celebration
- Mason 150 Steering Committee - meets the second Monday of each month

PEOPLE FROM THE FLOOR

John Lower of 703 South Barnes Street, on behalf of his wife, thanked those who assisted in the Rayner Park cleanup efforts. He asked about the status of the cable service transition and when the problems would be solved. McGinty was asked to respond. He stated that the Michigan Uniform Cable Franchise Act took away all local control over customer relations; customer complaints must be made to Michigan Public Service Commission. Mr. Lower also asked about how he may view the proposed budget. He was told that a public copy is available at the City Clerk's Office.

Stan Jordan of 310 East Sycamore Street echoed the concerns stated by Mr. Lower regarding cable service. Also, he stated that he feels city sidewalks are not being maintained as they should. He stated that the audio portion of broadcast meetings is poor in quality.

PRESENTATION

Pat Hicks, Vice President of the Sun Dried Music Festival, Incorporated, informed Council regarding the organization's plans for its annual event. Last year, the organization established itself as a non-profit; therefore, the Downtown Development Authority has shifted its role from Event Underwriter to Event Sponsor. He spoke regarding the organization's investment last year in the Downtown area infrastructure and plans to add water manifolds this year. He elaborated on the particulars planned for the event and requested Council approval for street closures, a waiver of associated fees, and the waiver of the amplified music ordinance until 1:00 a.m. on August 25.

PUBLIC HEARING

FY 2013-2014 Budget

Clark opened the public hearing at 7:54 p.m.

Norm Austin of 331 West Ash Street spoke regarding the proposed budget. He summarized his comments by stating that there needed to be changes in the budget. There should be hiring of

mid-management and employees to fill positions that have been vacated. He ended by saying he feels the city needs to be brought back to the standards that Mason is accustomed to, even if it required paying additional taxes.

Clark closed the public hearing at 8:00 p.m.

Resolution No. 2013-15 – Adoption of the FY 2013-2014 Budget

MOTION by Naeyaert, second by Droscha,
to consider Resolution No. 2013-15 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-15 was introduced by Naeyaert and seconded by Droscha.

Colburn gave a brief overview of the FY 2013-2014 Budget, as discussed at the April 10, 11, and 23, 2013 budget meetings.

Extensive discussion was held regarding the proposed Budget. Bruno stated that he would not be voting in favor of the proposed budget as it is presented, due to concern regarding the street improvements for the 2013-2014 fiscal year.

At the request of staff, McGinty provided an opinion regarding street improvements. He informed Council regarding an opinion he had provided years previous where the city assessor confirmed that street assessments must benefit assessed property owners and be reasonably proportionate to the benefit that the property owner will realize. The true cash value must go up at least an amount reasonably equal to the amount of the assessment. The majority of the properties proposed for assessment are accessed on interior streets, not Columbia Street. He also referenced previous improvements on Jefferson Street. The current city assessor confirmed that there would be no benefit to the property owners that do not have access to Columbia Street, nor would it add to curb appeal.

Clark outlined various concerns in the proposed Budget and stated that he would not be voting in favor of the proposed budget as it is presented because it would not accomplish what the residents of Mason deserve.

Council spoke to various Budget items, as well as the consideration of a slight millage increase, of which there was no consensus or action taken.

MOTION by Droscha, second by Naeyaert,
to defer action on Resolution No. 2013-15 to the next regular meeting to all
members of the body to be present.

Yes: (2) Brown, Droscha

No: (4) Bruno, Ferris, Naeyaert, Clark

Absent: (1) Mulvany

MOTION FAILED

**CITY OF MASON
CITY COUNCIL RESOLUTION 2013-15
ADOPTION OF THE FY 2013-2014 BUDGET
May 6, 2013**

WHEREAS, the City Council of the City of Mason did hold a public hearing on the proposed 2013-2014 fiscal year budget on Monday, May 6, 2013 as prescribed by law; now

THEREFORE BE IT RESOLVED, that the proposed 2013-2014 Operating Budget is filed with the City Clerk, providing for the sums of \$12,223,470 to expend for municipal purposes of the General Fund, Special Revenue Funds, Capital Project Funds, Trust and Agency Funds, Enterprise Funds, Intergovernmental funds, and Special Assessment Funds for the 2013-2014 fiscal year, and the said amount of \$2,879,810 shall be raised by taxes, or a levy of 13.25 mills, upon real and personal property of the City of Mason.

RESOLVED FURTHER, that whereas the Downtown Development Authority (DDA) budget for 2013-2014 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the DDA District is \$1,754,086 the sum of \$23,550 shall be placed in the DDA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments.

RESOLVED FURTHER, that whereas the Local Development Finance Authority (LDFA) budget for 2013-2014 is forwarded to the City Council for its approval, and whereas the captured State Taxable Valuation for the LDFA District is \$62,628,423; the sum of \$174,345 shall be placed in the LDFA Fund along with other taxing jurisdictions' appropriate tax dollar amounts, and together this money will be used for future public improvements within the District, and bond payments.

RESOLVED FURTHER, that the 2013-2014 Governmental Fund Budgets shall be automatically amended on July 1, 2013 to re-appropriate encumbrances outstanding and reserved on June 30, 2013.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City Council of the City of Mason hereby adopts the 2013-2014 proposed fiscal year budget which is currently on file in the office of the City Clerk.

ROLL CALL VOTE:

Yes: (4) Brown, Ferris, Droscha, Naeyaert

No: (2) Bruno, Clark

Absent: (1) Mulvany

MOTION APPROVED

CONSENT AGENDA

MOTION by Naeyaert, second by Droscha,
to approve the Consent Agenda as presented:

- Approval of Minutes – Regular Council Meeting: April 15, 2013
- Approval of Bills - \$67,683.44
- Motion – Street Closure – Mason Farmers Market Association, Inc
Approve the request of the Mason Farmers Market Association to use the public right-of-way by allowing the closure of East Maple Street from South Barnes Street to the center portion of the 100 block of East Maple Street, Saturday mornings, July 6, through October 5, 2013, between the hours of 6:00 a.m. and 2:00 p.m.
- Motion – Street Closures – Sundried Music Festival
Approve the request for the Sun Dried Music Festival Incorporated street closures as follow: Maple Street from the Mason State Bank parking lot entrance to Barnes Street, Jefferson Street from Sycamore Street to Ash Street, Barnes Street from Sycamore to Ash Street, and Ingham Court from Jefferson Street to Mason State Bank exit driveway. Also, for the use of equipment, electrical power, waiver of permits, fees and Section 22-6(2) of the Mason Code for the hours of 10:00 p.m. on August 24, 2013, to 1:00 a.m. on August 25, 2013, as well as from 9:00 a.m. – 12:00 p.m. to allow a community worship service to be held.
- Motion — Request to be Excused – City Council Member Jim Mulvany

Excuse the requested absence for Council Member James Mulvany from the May 6, 2013 regular council meeting.
MOTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Resolution No. 2013-16 – A Resolution to Accept a Ten Foot Public Utility Easement for 710 Temple Street

Haywood spoke briefly regarding the necessity of a ten foot easement for maintenance of public utilities at 710 Temple Street.

MOTION by Droscha, second by Naeyaert,
to consider Resolution No. 2013-16 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-16 was introduced by Droscha and seconded by Naeyaert.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013- 16
A Resolution to Accept a Ten Foot Public Utility Easement for 710 Temple Street
May 6, 2013**

WHEREAS, Temple Street was constructed in 2005 for the future benefit of the City of Mason and approved as a public street on September 18, 2006 by Resolution No. 2006-36; and

WHEREAS, a sanitary sewer system was constructed to the design and specifications approved by the City of Mason and the Michigan Department of Environmental Quality to serve the properties adjacent to the street and for future development; and

WHEREAS, the sanitary sewer system was constructed along the east side of Temple Street with stubs extending to the east side of the street; and

WHEREAS, a sanitary sewer main was constructed parallel to the west side of Temple Street to accommodate a medical office building at 710 Temple Street; and

WHEREAS, it is in the best interest of the City of Mason to acquire a ten foot permanent easement for maintenance of public utilities at 710 Temple Street; and

WHEREAS, the City Attorney has reviewed and approved the easement agreement for form and the City Engineer has approved the easement description.

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby authorize the City Mayor and City Administrator to execute and record the easement with the Ingham County Register of Deeds on behalf of the City of Mason.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-17 – Award of the Well No. 9 Raw Water Main Project

Heck spoke briefly regarding the bid process and recommendation for the Well No 9 raw water line main project.

MOTION by Naeyaert, second by Droscha,
to consider Resolution No. 2013-17 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-17 was introduced by Naeyaert and seconded by Brown

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2013-17
AWARD OF THE WELL No. 9 RAW WATER MAIN PROJECT
May 6, 2013**

WHEREAS, staff publicly advertised bids for the well No. 9 raw water main project; and

WHEREAS, the bids were opened on April 16, 2013; and

WHEREAS, it is in the best interests of the City of Mason to award bid to the lowest qualified bidder; and

WHEREAS, the raw water main project is in the 2012/2013 budget for well No. 9; now

THEREFORE BE IT RESOLVED, that the Mason City Council does hereby approve the award of the raw water main project to Concord Excavating & Grading, Inc. for \$157,739.50

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

All correspondence was distributed. An invitation will be extended to the new WOW System Manager to address Council.

LIAISON REPORTS

- Droscha informed Council regarding Traffic Commission business
- Clark informed Council regarding Downtown Development Authority business

COUNCILMEMBER REPORTS

None.

ADMINISTRATOR'S REPORT

Colburn informed Council regarding City business. The upcoming review to be conducted by the LEAP Art Grant committee was briefly discussed.

ADJOURNMENT

The meeting adjourned at 8:37 p.m.

Deborah J. Cwierniewicz, City Clerk

Leon R. Clark, Mayor